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Local Counsel for Allan B. Diamond, Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re
HOWREY LLP,

Debtor.

Case No. 11-31376 DM

Chapter 11

**EIGHTEENTH MONTHLY
STATEMENT OF SERVICES
RENDERED AND EXPENSES
INCURRED BY KORNFELD,
NYBERG, BENDES & KUHNER,
P.C., COUNSEL FOR ALLAN B.
DIAMOND, CHAPTER 11
TRUSTEE FOR THE PERIOD OF
APRIL 1, 2013 THROUGH APRIL
30, 2013**

TO: THE HONORABLE DENNIS MONTALI, UNITED STATES BANKRUPTCY JUDGE,
THE OFFICE OF THE UNITED STATES TRUSTEE, THE DEBTOR AND THE
OFFICIAL COMMITTEE OF UNSECURED CREDITORS:

In accordance with the *Order Granting Motion to Authorize Procedures for Interim Compensation and Reimbursement of Expenses of Professionals* ("Fee Procedures Order"), entered by the Court on July 26, 2011, Kornfield, Nyberg, Bendes & Kuhner, P.C. ("KNB&K"), co-counsel for the Chapter 11 Trustee, submits this Seventeenth Monthly Statement of Services Rendered and Expenses Incurred ("Statement") for the time period April 1, 2013 through April 30, 2013 ("Statement Period").

I. SUMMARY

Name of Applicant:	Kornfield, Nyberg, Bendes & Kuhner, P.C.
Authorized to Provide Professional Services to:	Chapter 11 Trustee, Allan B. Diamond
Period Covered:	April 1, 2013 through April 30, 2013
Amount of Compensation sought as actual, reasonable and necessary:	\$5,496.50
Amount of Expenses Reimbursement sought as actual, reasonable and necessary	\$75.04
Amount Payable after Application of Retainer and Twenty Percent (20%) Holdback on Fees:	\$4,472.24
This is a:	Eighteenth Monthly Statement

II. ITEMIZATION OF SERVICES RENDERED BY KORNFIELD, NYBERG, BENDES & KUHNER, P.C.

1. The hours spend during the Statement Period for which KNB&K seeks compensation, the hourly rate for each attorney and legal assistant, and the resulting fees are as follows:

Name	Position	Admission Date	Hourly Rate	Fees
Eric A. Nyberg, Esq.	Partner	CA 1987	\$425.00	\$510.00
Chris D. Kuhner, Esq.	Partner	CA 1994	\$385.00	\$4,966.50
Nancy L. Nyberg	Paralegal	N/A	\$80.00	\$20.00

Amount:				\$5,496.50
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2. KNB&K's billing records, submitted herewith and incorporated as Exhibits A and B, consist of a daily breakdown of the time spent by each person on each day (Exhibit A) and of the disbursements (Exhibit B) during the Statement Period.

III. THE ITEMIZATION OF SERVICES RENDERED AND DISBURSEMENT MADE

3. The following itemization breaks down the services rendered by KNB&K by the service categories indicated and provides an aggregate of disbursements by form of disbursement.

A. Services Rendered

4. The following services were rendered in the following service categories:

Service Category	Hours	Value
Howrey Claims (003)	7.35	\$2,829.75
General Case Administration (CA)	6.40	\$2,512.00
Fee Application (FA)	.60	\$154.75
Total:	14.35	\$5,496.50

A detailed itemization of the services rendered in each of the above Service Categories is set forth in Exhibit A.

B. Disbursements Made

5. The disbursements made by KNB&K during the Statement Period are as follows:

Expense Category	Amount
Copying In-House (CXC)	\$33.40
Postage (CPO)	\$11.64
Telephonic Court Conference (CTC)	\$30.00
Total:	\$75.04

C. Total Services Rendered and Disbursements

6. The total services rendered and disbursements made are as follows:

Total Services (100%)	\$5,496.50
Total Disbursements	\$75.04
Total (100%):	\$5,571.54

D. Amount Payable After Holdback

7. The amount payable for this Statement Period, after adjusting for the twenty percent (20%) holdback on fees, is \$4,472.24. KNB&K respectfully requests that this amount be paid pursuant to the Court's Fee Procedures Order.

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Dated: May 20, 2013

By: /s/ Eric A. Nyberg
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CERTIFICATE OF SERVICE

I, the undersigned, declare:

I am employed in the City of Oakland, County of Alameda, California. I am over the age of 18 years and not a party to this action. My business address is 1970 Broadway, Suite 225, Oakland, California 94612.

On May 21, 2013, I served or caused to be served a true and correct copy of the following document(s):

EIGHTEENTH MONTHLY STATEMENT OF SERVICES RENDERED AND EXPENSES INCURRED BY KORNFIELD, NYBERG, BENDES & KUHNER, P.C., COUNSEL FOR ALLAN B. DIAMOND, CHAPTER 11 TRUSTEE FOR THE PERIOD OF APRIL 1, 2013 THROUGH APRIL 30, 2013

in the manner described below addressed as follows:

X **Mail:** By mailing said document(s) in an envelope and depositing the sealed envelope with the United States Postal Service with postage fully prepaid, addressed as follows:

SEE ATTACHED SERVICE LIST

X **Via-Electronic Mail (CM/ECF):** Said document(s) and transmission of the Notification of Electronic Filing by the Clerk to a Registered Participant(s), addressed as follows:

SEE ATTACHED SERVICE LIST

X **Via-Email Transmission:** By transmitting via-electronic mail the above listed document(s) to the email address(es) as set forth below on this date:

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on May 21, 2013, at Oakland, California.

/s/ Nancy L. Nyberg

LIMITED NOTICE SERVICE LIST

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05/20/2013
04/30/13

FEES IN WIP FOR TASK CA FOR 10054.001 FROM 04/01/13 TO

Page 1

#	Type	Date/File	Atty	Description	Hours	Amount
282626	H	04/02/13	CDK	Review Haynes and Boone RFS	0.50	192.50
282655	H	04/03/13	EAN	Telephone call from general counsel for Cooley re: 2004 exam subpoena	0.20	85.00
282667	H	04/04/13	CDK	Review declaration of King exhibits; opposition	0.50	192.50
282709	H	04/08/13	CDK	Review opposition to Haynes and Boone RFS	1.00	385.00
282804	H	04/10/13	CDK	Review case law re: RFS; DC law	1.10	423.50
282832	H	04/11/13	EAN	Review opening brief	0.50	212.50
282891	H	04/15/13	CDK	Review documents re: stay	0.85	327.25
283025	H	04/19/13	EAN	Read briefs	0.50	212.50
283191	H	04/26/13	CDK	Review Stay Issue re: Jewell Waiver	0.50	192.50
283250	H	04/30/13	CDK	Review Preliminary Injunction Procedures; review case documents	0.75	288.75
GRAND TOTAL					6.40	2512.00

#	Type	Date/File	Atty	Description	Hours	Amount
282625	H	04/02/13	CDK	Review joinder; opposition by HC re: RFS	1.00	385.00
282649	H	04/03/13	CDK	Review opposition to HC Amended MSJ	0.50	192.50
282695	H	04/08/13	CDK	Listen to proceeding re: 362; Howrey Claims	1.00	385.00
282770	H	04/09/13	CDK	Review case law re: 362	0.75	288.75
282772	H	04/09/13	CDK	Review order; case law re: RFS	0.50	192.50
283042	H	04/19/13	CDK	Review 549 complaint filed, amendments re: 547, research law re: same, timing	1.10	423.50
283043	H	04/19/13	CDK	Review appellant brief by HC re: Ahcolm	0.50	192.50
283080	H	04/22/13	CDK	Review reply by Haynes & Boone	1.00	385.00
283181	H	04/25/13	CDK	Review pleadings re: HC	1.00	385.00
GRAND TOTAL					7.35	2829.75

#	Type	Date/File	Atty	Description	Hours	Amount
282696	H	04/08/13	CDK	Telephonic appearance at 4th application for fees	0.35	134.75
283069	H	04/22/13	NLN	Prepare 17th fee statement	0.25	20.00
GRAND TOTAL					0.60	154.75

#	Type	Date/File	Atty	Description	Hours	Amount
282895	C	04/05/13 001		CTC telephonic court conference US Bankruptcy Court, SF 4th Interim Fee Application [CHAPTER 11 BANKRUPTCY]		30.00
282723	C	04/08/13 001		CPO Postage charge: Sent Trustee's opposition to Haynes and Boone LLP's Motion Confirming that the Automatic Stay is Inapplicable to Chambers (SF) [CHAPTER 11 BANKRUPTCY]		1.72
282724	C	04/08/13 001		CXC Photocopy charges: Sent Trustee's opposition to Haynes and Boone LLP's Motion Confirming that the Automatic Stay is Inapplicable to Chambers (SF) [CHAPTER 11 BANKRUPTCY]		3.80
283053	C	04/19/13 001		CPO Postage charge: Sent chapter 11 Trustee's Motion for Preliminary Injunction [CHAPTER 11 BANKRUPTCY]		5.32
283054	C	04/19/13 001		CXC Photocopy charges: Sent Chapter 11 Trustee's Motion for Preliminary Injunction [CHAPTER 11 BANKRUPTCY]		24.60
283256	C	04/23/13 001		CPO Postage charge: Served Seventeenth Monthly Fee Statement [CHAPTER 11 BANKRUPTCY]		4.60
283257	C	04/23/13 001		CXC Photocopy charges: Served Seventeenth Monthly Fee Statement [CHAPTER 11 BANKRUPTCY]		5.00
GRAND TOTAL					0.00 =====	75.04 =====